

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOHN LEE MALAER,

Plaintiff,

Civ. No. 1:22-cv-947-CL

v.

ORDER

SDA INVESTMENTS, INC.,
dba LUMPY'S, an Oregon Corporation,

Defendant.

MCSHANE, Judge:

Magistrate Judge Mark Clarke filed a Findings and Recommendation (#36), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72. Although neither party filed objections, I reviewed the legal principles *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the report is correct.

Magistrate Judge Clarke's Findings and Recommendation (#37) is adopted. Defendant's Motion to Dismiss (#31) is GRANTED as Plaintiff's claims are barred by the statute of limitations.

IT IS SO ORDERED.

DATED this 7th day of November, 2023.

/s/ Michael J. McShane
Michael McShane
United States District Judge